

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

JAMES H. SMALLEY,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 4:14-CV-386-CDP
	)	
GEORGE A. LOMBARDI, et al.,	)	
	)	
Defendants.	)	

**MEMORANDUM AND ORDER**

Before the Court in this closed case is plaintiff's "Motion to Show Cause" [Doc. #21]. Plaintiff claims that there is "a continuous vexation of defendants towards [him]." More specifically, he states that defendants refused to provide him with a certified inmate account statement, which resulted in the dismissal of the instant action on May 7, 2014, as well as plaintiff's appeal on March 19, 2015.

On March 20, 2015, this Court entered an Order for the immediate collection of plaintiff's appellate filing fee, as directed by the United States Court of Appeals for the Eighth Circuit. Plaintiff was assessed an initial partial filing fee of \$3.32 [Doc. #20]. In the instant motion, plaintiff states that he has requested two "green checks" for payment of the filing fee, but has not yet received them, and he "prays this Court sees this situation for what it is." Having carefully reviewed plaintiff's assertions, the Court will deny the motion to show cause but will grant plaintiff

additional time to pay the initial appellate filing fee, as set forth below.

Accordingly,

**IT IS HEREBY ORDERED** that plaintiff's "Motion to Show Cause" [Doc. #21] is **DENIED**.

**IT IS FURTHER ORDERED** that plaintiff is granted additional time, up to and including May 7, 2015, to pay the \$3.32 initial appellate filing fee.

**IT IS HEREBY CERTIFIED** that an appeal from this Order would not be taken in good faith. *See* 28 U.S.C. § 1915(a)(3).

Dated this 10<sup>th</sup> day of April, 2015.

  
**UNITED STATES DISTRICT JUDGE**